

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

**CHRISTOPHER RAMIREZ, BY AND
THROUGH HIS NEXT FRIEND,
OLIMPIA RAMIREZ,**

Plaintiff,

No. 4:22-cv-0733-P

V.

**CECILE YOUNG, IN HER OFFICIAL
CAPACITY AS THE EXECUTIVE
COMMISSIONER, TEXAS HEALTH AND
HUMAN SERVICES COMMISSION,**

Defendant.

ORDER

After a hearing, the United States Magistrate Judge made findings, conclusions, and a recommendation (FCRs) regarding the Plaintiff's Motion for Temporary Restraining Order ("TRO") and Preliminary Injunction. ECF No. 3, 5. The FCRs concern the TRO; the preliminary injunction remains pending before the Magistrate Judge. ECF No. 5, 6. Defendant objected to the FCRs. ECF No. 12. Plaintiff responded to the Objections. ECF No. 13.

The Court conducts a *de novo* review of those portions of the Magistrate Judge's FCRs to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the FCRs that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having reviewed the Complaint, Motion, FCRs, Objections, Responses to the Objections, arguments of counsel, and relevant caselaw including *Harrison v. Young*, No. 19-10874, 2022 WL 3906582 (5th Cir. Aug. 31, 2022), the Court **GRANTS** Defendant's objection to the Magistrate Judge's finding that Plaintiff showed a substantial

likelihood that he will prevail on the merits. No. 19-10874, 2022 WL 3906582, at *5–6 (5th Cir. Aug. 31, 2022). Without reaching the other Objections, the Court therefore **DENIES** the Motion to the extent that it seeks a TRO.

That portion of the Motion seeking a preliminary injunction remains pending before Magistrate Judge Jeffrey L. Cureton, and all papers filed hereafter regarding the preliminary injunction request shall include the following notation under the case number: “(Relates to Motion Referred to Magistrate Judge Cureton).”

SO ORDERED on this **2nd** day of **September 2022**.



MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE